

ADVISORY OPINION 97-011

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121.135(4).

December 18, 1997

Mr. Gary Osborne
Owensboro Area Building and Construction
Trades Council, AFL-CIO
2911 W. Parrish
Owensboro, Kentucky 42301

Dear Mr. Osborne:

This is in response to your November 17, 1997, request for an advisory opinion regarding whether your organization, the Owensboro Area Building and Construction Trades Council ("the Council"), which consists of seventeen (17) individual local unions, may contribute to a candidate if one or more of its affiliated local unions have already contributed the maximum amount allowable under KRS 121.150. Your letter explains that the Council's Constitution and Bylaws require each local union affiliate to pay an affiliation fee based on the number of members the affiliate has working in the jurisdiction of the Council.

Your letter further advises that the local unions have contributed through committees or through a contributing organization. KRS 121.150(7) provides that "[p]ermanent committees or contributing organizations affiliated by bylaw structure or by registration" are considered one (1) committee for purposes of applying the contribution limits of KRS 121.150(6). {See also AO 95-014, attached and incorporated herein by reference.}

As you also indicate, the local unions in the Council are affiliated by bylaw structure and registration fee. Therefore, pursuant to KRS 121.150(7), the Council and all of its affiliates are considered one (1) entity for the purpose of the contributions limits in KRS 121.150(6). If a local union affiliate has contributed the maximum amount allowable under KRS 121.150(6) to a candidate or committee, neither the Council nor any of its other affiliates may contribute to the same candidate or committee, without violating KRS 121.150(6).

If you have any questions, please contact the Registry at (502) 573-2226.

Sincerely,

Rosemary F. Center
General Counsel

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